

REMARKS

I. Introduction

Claims 1-3 are pending in this application, all of which stand rejected. Applicant respectfully solicits withdrawal of the rejection of the claims for the reasons set forth below.

II. The Rejection of Claims 1-3

Claims 1-3 have been rejected under 35 U.S.C. §103(a) as being obvious over Higuchi et al. In the statement of the rejection, the Examiner asserted that Higuchi et al. teaches all the limitations recited in independent claim 1. Applicant respectfully traverses this rejection.

It is submitted that the Examiner has not established a *prima facie* basis to deny patentability to the claimed invention under 35 U.S.C. §103 for lack of the requisite factual basis. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Higuchi et al. does not disclose or suggest an integrated battery including all the limitations recited in independent claim 1. Specifically, the reference does not disclose or teach, at a minimum, “said cell group having a shape of a rectangle and having strip-shaped plain portions arranged along 2 diagonal lines of the rectangle,” as recited in claim 1.

Higuchi et al. discloses a sheet-shaped battery including rectangular shaped cells arranged on a substrate in a lattice pattern, but does not disclose strip-shaped plain portions arranged along 2 diagonal lines of each rectangular shaped cell, as recited in claim 1. It is noted that Higuchi et al. is discussed in the specification (the paragraph bridging pages 3 and 4, and the first full paragraph at page 4 of the specification). Applicant found that the battery of Higuchi is

vulnerable to twisted or bent motion along a line parallel to a diagonal line of the cells because the rectangular cells are simply arranged in a lattice pattern.

However, the Examiner asserted as follows:

The cell group has matter [5] which is deemed readable on the claimed strip-shaped plain portions being arranged along diagonal lines, as matter [5] is specifically disclosed as being arranged around each cell such that the periphery section of each cell is filled up. See par. [0024]. Figure 1 (planar view) reveals that the peripheral spaces between the cells, when filled with [5], would resultantly be strip-shaped not unlike applicant's invention.

The first full paragraph at page 3 of the Office Action (emphasis added). Applicant submits that there is no support for the above assertion.

Paragraph [0024] of Higuchi et al. simply describes that flexible portions 5 are provided around each cell. According to Figs. 1-4, cells 2 each have a rectangular shape and are arranged in a lattice pattern. Flexible portions 5 are provided between rectangular cells 2. There is no description on which claim 1 reads. Even if four cells 5 are assumed to constitute the claimed cell group having a rectangular shape, there are no strip-shaped plain portions arranged along diagonal lines of the rectangular cell group in Higuchi et al. Furthermore, there is no suggestion in Higuchi et al. to have such strip-shaped plain portions. In contrast, claim 1 recites a cell group having a shape of a rectangle and having strip-shaped plain portions arranged along 2 diagonal lines of the rectangle.

Based on the foregoing, Higuchi et al. does not disclose or suggest an integrated battery including all the limitations recited in independent claim 1 within the meaning of 35 U.S.C. §103. Dependent claims 2 and 3 are also patentably distinguishable over Higuchi et al. at least because these claims respectively include all the limitations recited in independent claim 1. Applicant, therefore, respectfully solicits withdrawal of the rejection of claims 1-3 under 35 U.S.C. §103(a) and favorable consideration thereof.

III. Conclusion

It should, therefore, be apparent that the imposed rejections have been overcome and that all pending claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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